

Message Text

CONFIDENTIAL

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61

ACTION IO-13

INFO OCT-01 ADP-00 AF-10 ARA-11 EA-11 EUR-25 NEA-10 RSC-01

ACDA-19 GAC-01 CIAE-00 DODE-00 PM-09 H-02 INR-10 L-03

NSAE-00 NSC-10 PA-03 PRS-01 SS-15 USIA-12 RSR-01 /168 W
----- 016990

R 091750 Z MAY 73

FM USMISSION GENEVA

TO SECSTATE WASHDC 9227

INFO USUN NEW YORK 8775

C O N F I D E N T I A L GENEVA 2175

E. O. 11652: GDS

TAGS: PFOR, UN

SUBJ: DEFINITION OF AGGRESSION COMMITTEE

1. VARIOUS DELEGATIONS HAVE SUGGESTED OVER THE YEARS THAT " DE MINIMIS" CLAUSE WOULD BE USEFUL IN DEFINITION IN ORDE TO MAKE IT EASIER TO AGREE ON INCLUSION INDIRECT USES OF FORCE AND IN RECOGNITION OF FACT THAT NOT ALL USES OF FORCE IN VIOLATION ART. 2(4) SHOULD BE REGARDED AS AGGRESSION.

2. MANY OF THESE SUGGESTIONS HAVE INVOLVED APPLYING SUCH A CLAUSE ONLY TO INDIRECT USES OF FORCE. WE HAVE RESISTED THIS ON GROUND THAT THE MEANS CHOSEN DO NOT AFFECT THE GRAVITY OF THE ACT AND THERE APPEARS TO BE GENERAL AGREEMENT THAT " DE MINIMIS" CLAUSE SHOULD APPLY TO ALL FORMS.

3. JAPANESE DELS HAS DRAFTED A TEXT WHICH THEY CIRCULATED AMONG SIX POWER CO- SPONSORS TODAY. TEXT READS:

THE USE OF ARMED FORCE BY A STATE AGAINST ANOTHER STATE WHICH IN VIEW OF ITS NATURE AND EXTENT DOES NOT SUBSTANTIALLY AFFECT THE LATTER STATE'S (SOVEREIGNTY,) TERRITORIAL INTEGRITY AND POLOTICAL INDEPENDENCE SHALL
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NOT BE CONSIDERED TO CONSTITUTE AGGRESSION.

4. WE THINK THIS TEXT NOT ONLY HAS TACTICAL ADVANTAGES
IN CONNECTION WITH OBTAINING INCLUSION INDIRECT USES OF
FORCE BUT ALSO PROPERLY REFLECTS OUR VIEW THAT NOT ALL
ACTS IN VIOLATION ARTICLE 2(4) CONSTITUTE AGGRESSION.

WE CONSEQUENTLY PLAN INFORMALLY DISCUSS JAPANELOWED BY THE
SIGNATURES AS SUGGESTED
STATE 78611.

5. MUNTEANU EXPECTED TO FINALIZE THE AGREEMENT IN BOTH ENGLISH
AND FRENCH TEXTS THIS WEEK AND HAVE THE SECRETARY GENERAL OF
WMO TRANSMIT COPIES TO GSO EARLY NEXT WEEK. HE WILL ALSO
URGE THAT THE AGREEMENT BE SIGNED IN GENEVA WITH THE GOS'
AUTHORIZING ITS PERMANENT DELEGATION HERE TO SIGN FOR THAT
GOVERNMENT. MUNTEANU ADDED THAT US DRAFT PROTOCOLE
D' EXECUTION WOULD BE USED. BASSIN

UNCLASSIFIED
NMAFVVZCZ

*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 09 MAY 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973GENEVA02175
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GDS
Errors: n/a
Film Number: n/a
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730538/aaaaijrk.tel
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Locator: TEXT ON-LINE
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Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
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US Department of State
EO Systematic Review
30 JUN 2005

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Review Withdrawn Fields: n/a
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Subject: DEFINITION OF AGGRESSION COMMITTEE
TAGS: PFOR, UN, PFOR
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Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005